

**United States District Court**  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

CLERK  
DISTRICT COURT  
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TEXAS-EASTERN

TED BLANKENSHIP

§

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V.

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Commissioner of Social  
Security Administration

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§

BY \_\_\_\_\_  
CASE NO. 4:05cv136  
(Judge Brown/Judge Bush)

**MEMORANDUM ADOPTING REPORT AND RECOMMENDATION**  
**OF UNITED STATES MAGISTRATE JUDGE**


Came on for consideration the Report of the United States Magistrate Judge in this action for judicial review of the administrative denial of social security Disability Insurance Benefits, this matter having been heretofore referred to United States Magistrate Judge Don D. Bush pursuant to 28 U.S.C. § 636. On June 22, 2006, the Magistrate Judge entered a Report containing his proposed findings of fact and recommendations that the decision of the commissioner be affirmed. On July 7, 2006, Plaintiff filed objections to the Report and Recommendation.

Having made a *de novo* review of the objections raised by Plaintiff thereto, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of Plaintiff are without merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court.

It is, therefore, **ORDERED, ADJUDGED** and **DECREED** that the decision of the Administrative Law Judge shall be and is hereby **AFFIRMED**. All motions by either

party not previously ruled on are hereby **DENIED**.

**SIGNED** this 31 day of July, 2006.

  
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PAUL BROWN  
UNITED STATES DISTRICT JUDGE